

AMENDED IN SENATE JANUARY 5, 2004

AMENDED IN SENATE APRIL 28, 2003

AMENDED IN SENATE MARCH 17, 2003

SENATE BILL

No. 77

Introduced by Senator Burton
(Coauthor: Senator Johnson)
(Coauthor: Assembly Member Cohn)

January 22, 2003

An act to amend Section 2622 of, to add Section 2623 to, and to repeal and add Section 2620 of, the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

SB 77, as amended, Burton. Physical therapy.

Existing law, the Physical Therapy Practice Act, regulates the practice of physical therapy by the Physical Therapy Board of California in the Department of Consumer Affairs, and provides that a violation of the act is a crime. Existing law defines "physical therapy" and "physical therapist" for purposes of the act.

This bill would delete the definition of physical therapy and would instead define the practice of physical therapy. The bill would provide that this definition would not restrict or prohibit healing arts practitioners from practice within the scope of their license or registration. The bill would revise the definition of a physical therapist.

This bill would make it an unlawful practice of physical therapy if a physical therapist does not immediately refer an individual to specified licensed health care professionals if the physical therapist has reasonable cause to believe that physical therapy is contraindicated, if

the individual has a symptom or condition that requires services outside the physical therapist's scope of practice, or if the individual has had 15 visits with the physical therapist *per episode*.

Because the bill would add provisions regarding the practice of physical therapy, the violation of which would be a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2620 of the Business and Professions
2 Code is repealed.

3 SEC. 2. Section 2620 is added to the Business and Professions
4 Code, to read:

5 2620. (a) The "practice of physical therapy" means all of the
6 following:

7 (1) Examining, evaluating, and testing individuals with
8 mechanical, physiological and developmental impairments,
9 functional limitations and disabilities, or other health and
10 movement related conditions in order to determine a diagnosis of
11 the physical impairment or movement-related functional
12 limitation, prognosis, plan of therapeutic intervention, and to
13 assess the ongoing effects of intervention.

14 (2) Alleviating movement related impairments, functional
15 limitations, and disabilities by designing, implementing, and
16 modifying therapeutic interventions that may include the
17 following:

18 (A) Therapeutic exercise.

19 (B) Movement related functional training.

20 (C) Manual therapy, including soft tissue and joint
21 mobilization.

22 (D) Therapeutic massage.



(E) Prescription, application, fabrication, and training in the use of movement related assistive, adaptive, protective, and supportive devices and equipment.

(F) Application and training in the use of prosthetic devices.

(G) Airway clearance techniques.

(H) Integumentary protection and repair techniques.

~~(I) Debridement and wound care.~~

~~(J)~~

(I) Physical agent modalities.

~~(K)~~

(J) Mechanical and electrotherapeutic modalities.

~~(L)~~

(K) Patient-related instruction.

(3) Reducing the risk of injury, impairment, movement related functional limitation, or disability, including the promotion and maintenance of fitness, health, and wellness in populations of all ages.

(4) Engaging in administration, consultation, education, and research.

(b) Nothing in this section shall be construed to restrict or prohibit healing arts practitioners licensed or registered under this division, other than physical therapists, from practice within the scope of their license or registration.

(c) Nothing in this section shall be construed to authorize a physical therapist to diagnose disease.

SEC. 3. Section 2622 of the Business and Professions Code is amended to read:

2622. “Physical therapist” means a person who is licensed pursuant to this chapter to practice physical therapy. For purposes of this chapter the term “physical therapy” and “physiotherapy” shall be deemed identical and interchangeable.

SEC. 4. Section 2623 is added to the Business and Professions Code, to read:

2623. It is unlawful practice of physical therapy if a physical therapist does not immediately refer an individual to a health care professional licensed to practice dentistry, podiatry, or medicine, or another licensed health care professional, if any of the following occur:

(a) The physical therapist has reasonable cause to believe that physical therapy is contraindicated.

1 (b) The individual has a symptom or condition that requires
2 services outside the physical therapist's scope of practice.

3 (c) The individual has had 15 visits with the physical therapist
4 *per episode*.

5 SEC. 5. No reimbursement is required by this act pursuant to
6 Section 6 of Article XIII B of the California Constitution because
7 the only costs that may be incurred by a local agency or school
8 district will be incurred because this act creates a new crime or
9 infraction, eliminates a crime or infraction, or changes the penalty
10 for a crime or infraction, within the meaning of Section 17556 of
11 the Government Code, or changes the definition of a crime within
12 the meaning of Section 6 of Article XIII B of the California
13 Constitution.

